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Admitted to practice in the District
of Columbia

November 17, 2006

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Petition of Time Warner Cable for Declaratory Ruling that Competitive
Local Exchange Carriers May Obtain Interconnection Under Section 251 of
the Communications Act of 1934, as Amended, to Provide Wholesale
Telecommunications Services to VoIP Providers
WC Docket No. 06-55
Notice of Ex Parte Communications**

Dear Ms. Dortch:

Southeast Nebraska Telephone Company ("SENTCO"), by counsel, hereby provides this brief response to the Notice of Ex Parte presentations filed in the above-captioned matter by Time Warner Cable ("TWC") on November 1, 2006 (the "TWC Letter") and Sprint Communications Company L.P. ("Sprint") on October 19, 2006 (the "Sprint Letter"). SENTCO makes this filing to ensure that the record before the Commission is clear as it resolves this proceeding.

In the TWC Letter, TWC states that the Commission should move forward with action in this proceeding based on a claim that "several state commissions have issued rulings at the behest of rural LECs that have made it impossible for Time Warner Cable to enter certain rural areas." TWC Letter at 1. Similarly, Sprint claims that "delays in granting Time Warner Cable's petition have emboldened some RLECs who are determined to frustrate competitors and discourage investment in their *de facto* monopoly markets." Sprint Letter at 1.

The record before the Commission in this proceeding includes the decision of and public record before the Nebraska Public Service Commission ("Nebraska Commission") in the ruling which TWC requests be overruled. The Nebraska Commission decision (and the record upon which it is amply supported) demonstrates that any delay in TWC seeking entry in the areas served by the SENTCO is a *direct result* of TWC decision not to follow the procedures that the Nebraska Commission prescribed. See, e.g., Comments of Southeast Nebraska Telephone

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Company and the Independent Telephone Companies, WC Docket No. 06-55, filed April 10, 2006 at 4; *see also id.*, Attachment C at pages 5-6. TWC has not demonstrated that it can not meet the procedures prescribed by the Nebraska Commission. Thus, TWC's claim that it is "impossible" to enter SENTCO's market is untrue.

Similarly, Sprint's rhetoric regarding purported efforts to "frustrate competitors" is equally suspect. In general, Sprint provides no factual basis for its rhetoric. With respect to Nebraska in particular, any claimed frustration that Sprint may assert is a result of the failure of TWC to follow the prescribed procedures established by the Nebraska Commission for seeking interconnection.

The undersigned may be contacted should you have any questions or require additional information.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Thomas J. Moorman".

Thomas J. Moorman

cc: T. Navin
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